S\2004\APP\1859-C-04 Herbal\1859C Certificate of Mailing -IDS.doc

JFW

NOV 1 5 2004 I

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Jose A. Diaz and Eduardo M. Naranjo

Serial No.:

10/796,561

Filing Date:

March 9, 2004

For:

A CHEMICAL COMPOSITION FOR AIDING THE ABSORPTION,

BINDING AND ELIMINATION OF UNDIGESTED FAT

Group Art Unit 1614 Customer Number 4219

2800 S.W. Third Avenue Historic Coral Way Miami, Florida 33129

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this Oday of November, 2004.

Respectfully submitted,

MALLOY & MALLOY, P.A. 2800 S.W. Third Avenue Historic Coral Way Miami, Florida 33129 (305) 858-8000

Bv:

Jenuie 5. Malloy Reg No. 37,670

Date: 11-10-04

F:\MMV0051-PATPAT 2004\APP\1859-C-04 HERBAL\1859C IDS- TRANSMITTAL NOTICE TO PTO.DOC

NOV 1 5 2004

HE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:

Jose A. Diaz and Eduardo M. Naranjo

Serial No.:

10/796,561

Filing Date:

March 9, 2004

For:

A CHEMICAL COMPOSITION FOR AIDING THE ABSORPTION,

BINDING AND ELIMINATION OF UNDIGESTED FAT

Group Art Unit 1614 Customer Number 4219

2800 S.W. Third Avenue Historic Coral Way Miami, Florida 33129 November 10, 2004

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with Applicant's duty of disclosure, the attached information is provided for consideration by the U.S. Patent and Trademark Office in connection with the above-captioned application. The information is identified on the attached form PTO/SB/08A. Copies of U.S. patent documents are not enclosed, in accordance with MPEP 609 subsection III.A(2)(A).

The Examiner is respectfully requested to return a copy of an initialed form PTO/SB/08A evidencing consideration of this information with the next Office Action.

Respectfully submitted,

MALLOY & MALLOY, P.A. Attorneys for Applicant 2800 S.W. Third Avenue Historic Coral Way Miami, Florida 33129 (305) 858-8000

By:

Jennie 6. Malloy Reg. No. 37,670

Dated: 11-10-2004

PTO/SB/08A (08-03)

Complete if Known

10/796,561

March 9, 2004

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

5, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Substitute for form 1449/PTADE

(Use as many sheets as necessary)

First Named Inventor Jose A. Diaz Art Unit 1614 **Examiner Name**

Filing Date

Application Number

1.859-C.04 Attorney Docket Number

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	Number-Kind Code ^{2 (if known)} US- 2003/0082168 A1	05-01-2003	Yegorova	, ignost ppos
				 	
	2	^{US-} 3,533,940	10-13-1970	Peniston et al.	
	3	^{US-} 3,879,376	04-22-1975	Vanlerberghe et al.	
	4	^{US-} 3,953,608	04-27-1976	Vanlerberghe et al.	
	5	^{US-} 4,034,121	07-05-1977	Dunn et al.	
,	6	^{US-} 4,119,619	10-10-1978	Rogozhin et al.	
	7	^{US-} 4,223,023	09-16-1980	Furda	
	8	^{US-} 5,104,676	04-14-1992	Mahmoud et al.	
	9	^{US-} 5,462,742	10-31-1995	Bogentoft et al.	
	10	^{US-} 5,612,039	03-18-1997	Policappelli et al.	
	11	^{US-} 5,690,981	11-25-1997	Watanabe et al.	
-	12	^{US-} 5,795,576	08-18-1998	Diaz et al.	
	13	^{US-} 5,891,441	04-06-1999	Diaz et al.	
	14	^{US-} 6,048,532	04-11-2000	Diaz et al.	
	15	^{US-} 6,130,321	10-10-2000	Johnson et al.	
	16	^{US-} 6,200,574 B1	03-13-2001	Diaz et al.	
	17	^{US-} 6,426,077 B1	07-30-2002	Grace et al.	
	18	^{US-} 6,447,812 B1	09-10-2002	Diaz et al.	
	19	^{US-} 6,565,847 B1	05-20-2003	Gorsek	

	FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	-6			
		Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear				
						Щ			
						Ш			
		- 							
						Щ			

Examiner	Date	
Signature	Considered	
0.3	00110100100	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁸ Applicant is to place a check mark here if English language ²See Kinds Codes of Standard ST.3). ⁴ For

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form

Sheet 2

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of 2

Application Number	10/796,561	
Filing Date	March 9, 2004	
First Named Inventor	Jose A. Diaz	
Art Unit	1614	
Examiner Name		
Attorney Docket Number	1.859-C.04	

Complete if Known

			U. S. PATEN	T DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (if known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	^{US-} 6,703,419	03-09-2004	Diaz et al.	
	2	^{US-} 6,733,793	05-11-2004	Pacioretty et al.	
		US-			
		US			
		US-			
		U\$-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	Τ	
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	1	
						L	
						L	
-						L	
			1	·			

Examiner	·	Date	
Signature		Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.